

MINUTES OF REGULAR MEETING HELD JUNE 9, 2015

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, June 9, 2015 at 8:00 p.m.

Mayor Skibitsky made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 16, 2014. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, AND THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Skibitsky, Council Members, Neylan, LoGrippo, Foerst, Della Fera, Kimmins, Loughlin

ABSENT: Council Members Arena and Oliveira

Invocation was given by Councilman LoGrippo

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

TOWN OF WESTFIELD
INVITATION TO BID
JUNE 9, 2015

2015 VARIOUS ROAD IMPROVEMENTS
IN THE TOWN OF WESTFIELD, NEW JERSEY

The bids as follows were received, read and referred to the Town Engineer:

<u>BIDDER</u>	<u>AMOUNT</u>
Fischer Contracting Inc.	\$1,664,873.25
Excavating & Paving	
10 Short Hills Lane	
Scotch Plains, New Jersey 07076	
P & A Construction, Inc.	\$1,952,103.00
P.O. Box 28	
Colonia, New Jersey 07067	
Top Line Construction Corporation	\$2,102,941.51
22 Fifth Street	
Somerville, New Jersey 08876	
Smith - SONDY	\$2,133,734.50
Paving Contractor	
150 Anderson Avenue	
Wallington, New Jersey 07057	
Schifano Construction Corporation	\$2,143,197.50
One Smalley Avenue	
P.O. Box 288	
Middlesex, New Jersey 08846	
Black Rock Enterprises, LLC	\$2,169,925.00
1316 Englishtown Road	
Old Bridge, New Jersey 08857	
Cifelli & Son General Construction, Inc.	\$2,476,587.50
4 Coppola Street	
Nutley, New Jersey 07110	

MINUTES

On a motion by Councilman Foerst, seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Meeting held May 26, 2015 with Councilwoman Neylan abstaining.

On a motion by Councilwoman Kimmins, seconded by Councilman Loughlin Council approved the Minutes of the Conference Session held May 26, 2015 with Council Members Neylan and Oliveira abstaining.

PETITIONS AND COMMUNICATIONS**OPEN DISCUSSION BY CITIZENS****BILLS AND CLAIMS**

Introduced by Councilman Della Fera, seconded by Councilman LoGrippe and adopted with Councilman Loughlin abstaining on Loughlin Law Firm.

RESOLVED that the bills and claims in the amount of \$202,577.86 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:**Finance Policy Committee**

The following resolutions, introduced by Councilman Della Fera, Chairman of the Finance Policy Committee, seconded by Councilwoman Neylan were unanimously adopted.

(174) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$163.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of May 2015.

(175) WHEREAS, N.J.S.A. 40A:4-87 (Chapter 159, P.L., 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget or any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Westfield, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2015** in the sum of **\$58,830.67** which is now available from the State of New Jersey, **Clean Communities Fund**, and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations

Clean Communities Program

\$58,830.67

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded to the Division of Local Government Services by the Chief Financial Officer.

(176) RESOLVED, that the Chief Financial Officer be authorized to refund the following fees to the following individuals:

Name	Account	Class	Fee
Ana DeFigueiredo 926 Cleveland Ave. Westfield, NJ 07090	Pool Membership Account- 195	Individual Membership	\$180.00
Bruno Polito 821 Grant Ave. Westfield, NJ 07090	Pool Membership Account- 195	Family Membership	\$360.00
Troy Kelley c/o: Barbara Kelley 3213 Beverly Road South Plainfield, NJ 07080	Pool Membership Account- 195	Family Membership	\$360.00
Justin Gleason 136 W. Dudley Ave. Westfield, NJ 07090	Pool Membership Account- 195	Family Membership	\$360.00
Matthew Fahrenbach 65 Summit Court Westfield, NJ 07090	Pool Membership Account- 195	Family Membership	\$450.00
Marilyn O'Connell 121 Pearl Street Westfield, NJ 07090	T05-600-073	Volleyball Camp (Emily)	\$123.60

(177) RESOLVED that the Chief Financial Officer be and she hereby is authorized to draw warrants to the following persons, this amount being taxes or sewer overpaid for 2013, 2014 and 2015:

YEAR

BLOCK AND LOT

NAME AND ADDRESS	PROPERTY	AMOUNT
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2013

5608/10 PARISE, Dina & LASORSA, Vincenzo	1738 Boulevard	\$ 128.80
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2014

1207/1 FRANTZ, David M. & Barbara	320 Harrison Avenue	\$ 3,324.31
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2014

2203/9 LEZYNSKI, Thomas & Maura	226 Canterbury Lane	\$ 74.43
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2014

2814/58 LANGER, Alan H. & WALLANT, Leslie A.	712 Warren Street	\$ 4,275.72
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2014

5010/11 CHERENKOV, Nikolai & VINOKUROV, Inc	136 Marlboro Street	\$ 300.00
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2015

3108/15 319 Lenox Holding, LLC	319 Lenox Avenue	\$ 145.00
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(178) NOW THEREFORE, BE IT RESOLVED, that the following accounts may have their sewer bill removed for 2015.

Billing will be adjusted once the property has a certificate of occupancy.

Acct#	Property Address	Amount
8678-0	50 Mohawk Trail	\$170.00

(179) RESOLVED that the Chief Financial Officer be and hereby is authorized to draw warrants for unused parking permit fee as follows:

Eva Mochol Two River Attn: Accounting 766 Shrewsbury Avenue Tinton Falls, NJ 07724	Lot 8	#15080215	\$371.00
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Michelle McFadden	Lot 8	#15080216	\$371.00
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Two River
Attn: Accounting
766 Shewsbury Avenue
Tinton Falls, NJ 07724

(180) WHEREAS, the Board of Trustees of the Westfield Memorial Library, pursuant to authority granted to the Trustees by Statute, has adopted a payroll for employees and the salary amounts;

NOW, THEREFORE BE IT RESOLVED, that the payroll consisting of the following regularly salaried employees of the Westfield Memorial Library be adopted retroactive to be effective July 1, 2015 and that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Name</u>	<u>Title</u>	
Phil Israel	Library Director	\$103,286
Jennifer Schultz	Librarian - Dept. Head	\$ 76,455
Darla Wagner	Librarian – Dept. Head	\$ 70,527
Adrienne Basso	Librarian – Dept. Head	\$ 70,527
Maureen Cooney	Library Associate	\$ 55,253
Issac Lebron	Senior Custodian	\$ 42,932
Maryann Prokop	Office Manager	\$ 49,784
Robin Pritschau	Library Assistant II	\$ 45,814
Warren Hoffman	Library Assistant I	\$ 33,986
Michelle Porter	Library Assistant I	\$ 33,986

Regarding the following ordinance, Councilman Della Fera, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2048– AN ORDINANCE TO AMEND GENERAL ORDINANCE 2026 FIXING THE ANNUAL SALARIES FOR THE MAYOR AND COUNCIL MEMBERS AND CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF WESTFIELD.”

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of June 2015 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the

time and place when and where said ordinance will be further considered for final passage.

Seconded by Councilwoman Neylan.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Neylan	Nays:	Absent: Arena
LoGrippto		Oliveira
Foerst		
Della Fera		
Kimmins		
Loughlin		
Mayor Skibitsky		

Regarding the following ordinance, Councilman Della Fera, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2049– AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2025 ENTITLED "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE."

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of June 2015 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Seconded by Councilman Loughlin.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Neylan	Nays:	Absent: Arena
LoGrippto		Oliveira
Foerst		
Della Fera		

Kimmins
Loughlin
Mayor Skibitsky

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Foerst, Chairman of the Code Review & Town Property Committee, seconded by Councilwoman Kimmins were unanimously adopted.

(181) WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk café and the Town Clerk be, and is hereby authorized to issue said licenses.

Robert Treat Deli

113 Quimby Street

Subway

106 Quimby Street

(182) RESOLVED that the following application for Peddlers License be and the same is hereby approved:

Jose Cachada
Joes Catering
258 Perry Ave
Union, NJ 07083

BE IT FURTHER RESOLVED that the license shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

(183) WHEREAS, Laiyu Li and Jihong Ding, made an application to the Town of Westfield to demolish a single-family dwelling and shed located at 443 Beechwood Place, Block 4204, Lot 16, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling and shed at 443 Beechwood Place, Block 4204, Lot 16, Westfield, New Jersey.

Regarding the following ordinance, Councilman Foerst, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2047– AN ORDINANCE AMENDING THE TREE PRESERVATION ORDINANCE FOR THE TOWN OF WESTFIELD, CHAPTER 29A."

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of June 2015 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Seconded by Councilman LoGripipo.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Neylan
LoGripipo
Foerst
Della Fera
Kimmins
Loughlin
Mayor Skibitsky

Nays:

Absent: Arena
Oliveira

Public Works Committee

The following resolutions, introduced by Councilman Loughlin, Vice-Chairman of the Public Works Committee, seconded by Councilwoman Kimmins were unanimously adopted.

(184) WHEREAS, Fischer Contracting Inc., is under contract to the Town of Westfield for the **2015 Conservation Center Improvements** as authorized by the Recycling Tonnage Grant, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated additional work items and more material than had been anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to the Recycling Tonnage Grant.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the amount of \$22,409.53 executed by Kris J. McAloon, Town Engineer, be authorized, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of Change Order No. 1, for the **2015 Conservation Center Improvements** increasing the contract price to \$260,935.78.

(185) WHEREAS, Fischer Contracting Inc., has completed all of the work necessary for the **2015 Conservation Center Improvements** as authorized by the Recycling Tonnage Account, and

WHEREAS, the Town Engineer certifies that all of the work, totaling \$163,255.76 has been completed in a satisfactory manner, in accordance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to the Recycling Tonnage Account, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment in the amount of \$25,599.78 and to effect whatever actions are appropriate by said acceptance for the 2015 Conservation Center Improvements, with a final contract price of \$260,935.78.

Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$8,101,315.29 and Investments of \$5,382,133.81 was received, read and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of and sewer \$29,346,882.82 during the period May 1, 2015 to May 31, 2015.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$102,206.00 for the month of May 2015 was received, read and ordered filed.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$55,210.00 representing monies collected during the month of May 2015 also a check in the amount of \$58,885.00 representing Spring Clean-Up Program.

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$9,351.00 during the month of May 2015 was received, read, and ordered filed.

Report of David J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in May 2015 in the amount of 6,500.00 and \$232.00 Permit Fees was received, read and ordered filed.

Upon motion by Councilman Foerst, seconded by Councilman LoGrippo the meeting was adjourned at 8:09 p.m.

Claire J. Gray
Town Clerk